

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

DAMIEN MARSHJON MCDUGLAND,

Plaintiff,

v.

J. BELLUOMINI, et al.,

Defendants.

No. 2:22-cv-2242 WBS SCR P

ORDER

Plaintiff, a state prisoner proceeding pro se, filed this civil rights action seeking relief under 42 U.S.C. § 1983. The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On October 2, 2025, the magistrate judge filed findings and recommendations herein which were served on all parties and which contained notice to all parties that any objections to the findings and recommendations were to be filed within twenty-one days. ECF No. 62. Neither party filed objections to the findings and recommendations.

The court has reviewed the file and finds the findings and recommendations to be supported by the record and by the magistrate judge's analysis. Accordingly, IT IS HEREBY ORDERED that:

1. The findings and recommendations (ECF No. 62) are adopted in full;
2. Defendants' motion for summary judgment (ECF No. 57) is GRANTED IN PART and

DENIED IN PART as follows:

a. Summary judgment is GRANTED to defendants Belluomini, Bunch, Castille, Dennis, McElroy, Priest, Purtle, Williams, and Bargstadt on plaintiff's Eighth Amendment excessive force claim;

b. Summary judgment is DENIED to defendants Strobe and Branion on plaintiff's Eighth Amendment excessive force claim; and

c. Summary judgment is GRANTED to defendants Abraham, Arciga, Farhat, Reyes, Thomas, and Sarai on plaintiff's Eighth Amendment failure-to-intervene claim.

Dated: November 19, 2025



WILLIAM B. SHUBB
UNITED STATES DISTRICT JUDGE

BB/Mcd02242.801